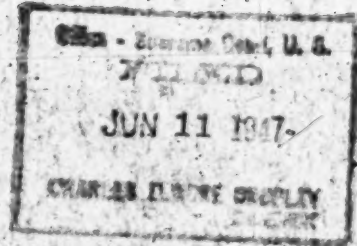


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No. 1391

95

In the Supreme Court of the United States

OCTOBER TERM, 1946

ALEXANDER WOOL COMBING COMPANY, PETITIONER

v.

UNITED STATES OF AMERICA

**ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED
STATES CIRCUIT COURT OF APPEALS FOR THE FIRST
CIRCUIT**

MEMORANDUM FOR THE UNITED STATES

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ALEXANDER WOOL COMBING COMPANY, PETITIONER

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ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE FIRST CIRCUIT

MEMORANDUM FOR THE UNITED STATES

This case presents substantially the same issues of constitutionality and interpretation of the Renegotiation Act¹ as *A. V. Pownall, et al. v. United States*, No. 1295, this Term, and *Lichter, et al. v. United States*, No. 1427, this Term, pending on petitions for writs of certiorari to the Circuit Courts of Appeals for the Ninth and Sixth

¹ Sec. 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, 56 Stat. 226, 245, as amended by Sec. 801 of the Revenue Act of 1942, 56 Stat. 798, 982, by Sec. 1 of the Military Appropriation Act, 1944, 57 Stat. 347, by the Act of July 14, 1943, 57 Stat. 564, and finally by Sec. 701 of the Revenue Act of 1943, 58 Stat. 21, 78.

Circuits respectively. As in those cases, the suit is by the United States to collect amounts alleged to be owed pursuant to an unappealed determination under the Renegotiation Act that petitioner had made excessive profits on war contracts. For the reasons stated in the Memorandum for the United States in No. 1295, we do not oppose the granting of the writ of certiorari, and we request that, if the writs issue in this case and in Nos. 1295 and 1427, the three cases be set down for argument together.

Respectfully submitted.

✓ GEORGE T. WASHINGTON,
Acting Solicitor General.

JUNE 1947.